



PATENT APPLICATION
Navy Case No.: 66,391

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9

In the application of: Scribner

Serial No.: 10/061,413

Filed: 02/04/02

For: MICROELECTRONIC STIMULATOR ARRAY FOR STIMULATING NERVE TISSUE

Examiner: Getzow, Scott M.

Art Group Unit: 3762

November 23, 2004

Mail Stop: Issue Fee

Honorable Commissioner of Patents

PO Box 1450

Alexandria, VA 22313-1450

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DEC 02 2004
TECHNOLOGY CENTER R3700

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

This petition is filed pursuant to 37 CFR 1.181(a) and MPEP 711.03(c)(I).

STATEMENT OF FACTS

The U.S. Patent & Trademark Office ("USPTO") issued an Office Action dated May 14, 2003, which action required a response within three months from its mailing date. Accordingly, on August 29, 2003, Applicant filed a Response to the outstanding Office Action and a Terminal Disclaimer. No further written correspondence has been received from the USPTO. On November 19, 2004, Applicant noted on the Patent Application Information Retrieval system that the USPTO abandoned the instant application on September 30, 2004.

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PATENT APPLICATION

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ARGUMENT

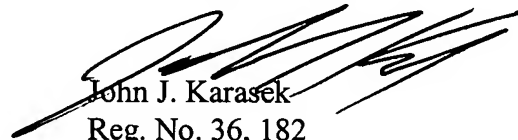
Attached are copies of the following:

- 1) A Response, filed August 29, 2003;
- 2) A Terminal Disclaimer, filed August 29, 2003; and
- 3) A Postcard receipt stamped August 29, 2003 and identifying the above two items.

The receipt card itemizes and properly identifies the items that were filed and serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO (MPEP 503). As the Response to the Office Action of May 14, 2003 was timely submitted, per the receipt card associated therewith, and there being no other outstanding requirements, Applicants request that the holding of abandonment be withdrawn.

No fee is required for this petition. However, in the event that a fee is required, please charge the fee to Deposit Account No. 50-0281, and in the event that there is a credit due, please credit Deposit Account No. 50-0281.

Respectfully submitted,



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NAVY CASE NO.	83,682	SERIAL NO.	10/061,414
NAME (Applicant)			
Scribner			

Receipt of the following application papers is evidenced hereon by
official stamp of the U.S. Patent and Trademark Office:

Terminal Disclaimer
Response to Office Action



CHARGE AUTHORIZATION TO DEPOSIT ACCOUNT 50-0281

HC 6870/2(Rev. 10-99)

(OVER)